



RCE
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PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/784,383
	Filing Date	February 15, 2001
	First Named Inventor	Voellmicke
	Group Art Unit	3732
	Examiner Name	Lewis, Ralph
	Attorney Docket Number	DEP0468

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other

3. **Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0750.
- i. ☒ RCE fee is required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (print/type)	Thomas M. DiMauro	Registration No.	35,490
Signature	<i>Thomas M DiMauro</i>	Date	7-25-05

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: 7/26/2005

Name (print/type)	Amy Schick	Date	7-26-05
Signature	<i>Amy Schick</i>		

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Docket No. DEP0468

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Voellmicke et al. Group Art Unit: 3732
Serial No.: 09/784,383 Examiner: Lewis, Ralph
Filed: February 15, 2001
Title: Vertebroplasty Injection Device And Bone Cement Therefor

CERTIFICATE OF MAILING

I, Amy Schick, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313 on July 26, 2005.

Amy Schick (signature)
Amy Schick

July 26, 2005 (date)

Thomas M. DiMauro (name of Registered Representative)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION

Sir:

In response to the Office Action of May 4, 2005 and advisory action of June 9, 2005, Applicants respectfully request continued examination (RCE), and reconsideration of the above-captioned patent application in view of the following remarks:

Amendments to the Claims are reflected in the listing of the claims which begins at page 2 of this paper.

Remarks begin at page 3 of this paper.